

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

JOSEPH KYLE,)
)
Plaintiff,)
)
VS.) No. 04-1180-T/An
)
BENTON COUNTY, TENNESSEE,)
ET AL.,)
)
Defendants.)

ORDER ON JURY VERDICT

This cause came on for trial before the Court and jury on October 3, 2005, the Honorable James D. Todd, District Judge, presiding; Frank M. DesLauriers representing the plaintiff and John D. Schwalb representing the defendants.

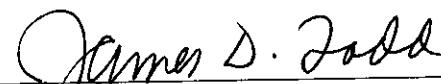
After hearing all the proof, arguments of counsel and charge of the Court, the jury retired to begin its deliberation. After due deliberation, the jury returned to open Court on October 4, 2005 and announced a verdict. The jury returned a verdict in favor of the plaintiff, Joseph Kyle against the defendants, Benton County, Tennessee and Jimmy Thornton, and awarded plaintiff, Joseph Kyle, damages in the amount of \$1.00.

The Clerk is directed to prepare a judgment for immediate entry in accordance with the jury verdict and the prior order granting summary judgment to all other defendants and dismissing the state law claims.

Any post-trial motions for judgment as a matter of law, new trial, or to alter or amend the verdict must be filed within 10 days after the entry of judgment, in accordance with Federal Rules of Civil Procedure 50(b) and 59.

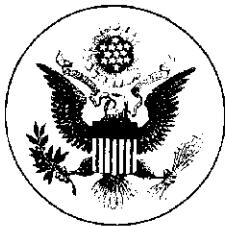
The plaintiff also will have 10 days after the entry of judgment in which to file a motion for attorney fees and expenses. If plaintiff's motion for attorney fees is filed within this period, the motion will extend the time for appeal in accordance with Fed. R. Civ. P. 58(c)(2) and Fed. R. App. P. 4(a)(4)(A)(iii).

IT IS SO ORDERED.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE


DATE



Notice of Distribution

This notice confirms a copy of the document docketed as number 36 in case 1:04-CV-01180 was distributed by fax, mail, or direct printing on October 11, 2005 to the parties listed.

D. Scott Porch
WILLIAMS & SCHWALB, PLLC
1111 Columbia Ave.
Franklin, TN 37064

Frank M. DesLauriers
DESLAURIERS LAW FIRM
P.O. Box 1156
Covington, TN 38019--115

John D. Schwalb
WILLIAMS & SCHWALB, PLLC
1111 Columbia Ave.
Franklin, TN 37064

Honorable James Todd
US DISTRICT COURT